

# UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 CFR 1.53(b)

|                        |  |
|------------------------|--|
| Attorney Docket No.    | 0155.02  |
| First Inventor         | Teruko Osumi et al.  |
| Title                  | <i>Solanum Bulbocastanum</i><br>Late Blight Resistance Gene<br>and Use Thereof |
| Express Mail Label No. | EU 972811728 US  |

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

## ADDRESS TO:

 Assistant Commissioner for Patents  
 Mail Stop Patent Application  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(submit an original and a duplicate for fee processing)
3. ☒ Specification Total Pages: 72  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets: 17
5. Oath or Declaration Total Pages: 1  
☒ Newly Unexecuted (original or copy)  
☐ Copy from a prior application (37 CFR 1.63(d))  
 (for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)  
 Signed statement attached deleting inventor(s)  
 named in the prior application, see 37 CFR  
 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-Rom or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☒ Computer Readable Form (CRF)  
 b. ☒ Specification Sequence Listing on:  
     i. ☐ CD-ROM or CD-R (2 copies)  
     ii. ☒ paper  
 c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation -in-part (CIP) of prior application No.:  
 prior application information: Examiner: Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: the entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted for the submitted application parts.

## 19. Correspondence Address

☒ Customer Number 25278 and/or Bar Code Label


25278

PATENT TRADEMARK OFFICE

Name (Print/Type)

Margaret A. Connor

 Registration No.  
 (Attorney/Agent)

30,043

Signature

Margaret A. Connor

Date

August 20, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, VA. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Mail Stop Patent Application, PO Box 1450, Alexandria, VA 22313-1450.

The PTO did not receive the following  
 listed item(s) Computer Readable  
Form (CRF)

 03913 U.S. PTO  
 10/647268

08/20/03

082003

# **FEE TRANSMITTAL** **FY03**

Effective 01/01/2003. Patent fees are subject to annual revision.

Total Amount of Payment \$ 750.00

**METHOD OF PAYMENT**

The Commissioner is hereby authorized to charge any fees set forth in CFR §§ 1.116 to 1.118 to the Deposit Account listed below for the entire pendency of the application, or credit any overpayment to this account. A duplicate copy of this sheet is enclosed:

Deposit Account No. 50-2135

Deposit Account Name: **USDA, ARS, OTT**  
**Patent Advisor**

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity:

| Code | Fee (\$) | Fee Description        | Fee Paid |
|------|----------|------------------------|----------|
| 1001 | 750      | Utility Filing Fee     | 750.00   |
| 1002 | 320      | Design Filing Fee      |          |
| 1003 | 520      | Plant Filing Fee       |          |
| 1004 | 750      | Reissue Filing Fee     |          |
| 1005 | 160      | Provisional Filing Fee |          |

Subtotal (1) \$ 750.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    | Extra Claims | Fee | Fee Paid |
|--------------------|--------------|-----|----------|
| Total Claims       | 15 -20** =   | X   | =        |
| Independent Claims | 2 -3** =     | X   | =        |
| Multiple Dependent |              |     | =        |

Large Entity:

| Code | Fee (\$) | Fee Description  |
|------|----------|--|
| 1202 | 18       | Claims in excess of 20                                     |
| 1201 | 84       | Independent claims in excess of 3                          |
| 1203 | 280      | Multiple dependent claim, if not paid                      |
| 1204 | 84       | **Reissue independent claims over original patent          |
| 1205 | 18       | ** Reissue claims in excess of 20 and over original patent |

Subtotal (2) \$ 0.00

**Complete if Known**

|                      |                     |
|----------------------|---------------------|
| Application Number   |                     |
| Filing Date          |                     |
| First Named Inventor | Teruko Osumi et al. |
| Examiner Name        |                     |
| Art Unit             |                     |
| Attorney Docket No.  | 0155.02             |

**FEE CALCULATION****3. ADDITIONAL FEES**

Large Entity:

| Code | Fee (\$) | Fee Description  | Fee Paid |
|------|----------|--|----------|
| 1051 | 130      | Surcharge-Late filing fee or oath  |          |
| 1052 | 50       | Surcharge-late provisional filing fee or cover sheet                       |          |
| 1053 | 130      | Non-English Specification  |          |
| 1812 | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804 | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 | 110      | Extension for reply within first month                                     |          |
| 1252 | 410      | Extension for reply within second month                                    |          |
| 1253 | 930      | Extension for reply within third month                                     |          |
| 1254 | 1,450    | Extension for reply within fourth month                                    |          |
| 1255 | 1,970    | Extension for reply within fifth month                                     |          |
| 1401 | 320      | Notice of Appeal   |          |
| 1402 | 320      | Filing a brief in support of an appeal                                     |          |
| 1403 | 280      | Request for oral hearing   |          |
| 1451 | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 | 110      | Petition to revive - unavoidable   |          |
| 1453 | 1,300    | Petition to revive - unintentional   |          |
| 1501 | 1,300    | Utility issue fee (or reissue)   |          |
| 1502 | 470      | Design issue fee   |          |
| 1503 | 630      | Plant issue fee  |          |
| 1460 | 130      | Petitions to the Commissioner  |          |
| 1807 | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 | 180      | Submission of Information Disclosure Statement                             |          |
| 8021 | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 | 750      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 | 750      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 | 750      | Request for Continued Examination (RCE)                                    |          |
| 1802 | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify):

\* Reduced by basic filing fee paid

Subtotal (3) \$

**SUBMITTED BY**

|   |  |  |
|---|--|--|
| Name (Print/Type):<br><b>Margaret A. Connor</b> | Registration No.<br>(Attorney/Agent) <b>30,043</b> | Telephone: <b>510-527-1418 or 510-559-6067</b> |
| Signature: <i>Margaret A. Connor</i>            |  | Date: <b>August 20, 2003</b>                   |

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.